



**MICHIGAN**  
**HOUSE OF REPRESENTATIVES**  
P.O. Box 30014  
LANSING, MICHIGAN 48909-7514

**MINUTES OF THE COMMITTEE**  
**ON**  
**JUDICIARY**

Tuesday, May 19, 2015                      12:00 p.m.                      Room 521 House Office Building

The House Standing Committee on Judiciary was called to order by Chairman Kesto.

Members present: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Robinson, Chang, Guerra.

Members absent/excused: None.

Representative Lucido moved to adopt the minutes of May 12, 2015. There being no objection, the motion prevailed by unanimous consent.

Chairman Kesto laid the following bills before the committee:

HB 4499	(Glenn)	Civil procedure; civil actions; evidentiary standard to establish and abate a public nuisance; modify.
HB 4505	(Lucido)	Criminal procedure; forfeiture; evidentiary standard for certain drug forfeitures; modify.
HB 4508	(Irwin)	Criminal procedure; forfeiture; forfeiture of vehicle used by individual to purchase or possess 1 ounce or less of marihuana; create exception.

Representatives Glenn, Lucido and Irwin gave an overview of the bills. Questions and discussion followed.

Chairman Kesto laid the following bill before the committee:

SB 304	(Kowall)	Occupations; junk and secondhand dealers; payment requirements for certain scrap metal purchase transactions; modify.
--------	----------	---

Senator Kowall and William L. Elson, representing Fritz Enterprises and the Michigan Institute of Scrap Recycling Industries, testified in support of the bill. Questions and discussion followed.

George Curran and Justin Duneskiss, representing the Responsible Recyclers Association, testified in support of the bill.

The following individuals submitted cards on the bill but did not wish to speak:

Jeff Crowe, representing Schupan & Sons, Inc., and as a member of the Michigan Institute of Scrap Recycling Industries, support.

Jim Neidert, representing Weiser Recycling and as a member of the Michigan Institute of Scrap Recycling Industries, support.

Matthew Owen, representing Fritz Enterprises and as a member of the Michigan Institute of Scrap Recycling Industries, support.

Roger Simon, representing Louis Padnos Iron and Metal Company and as a member of the Michigan Institute of Scrap Recycling Industries, support.

Tony Levin, representing the Ferrous Processing and Trading Company and as a member of the Michigan Institute of Scrap Recycling Industries, support.

Representative Heise moved to report out SB 304 with recommendation. The motion prevailed 10-0-1.

#### FAVORABLE ROLL CALL

Yeas: Reps. Kesto, Lucido, Heise, Johnson, Howrylak, Cole, Runestad, Irwin, Chang, Guerra.

Nays: None.

Pass: Rep. Robinson

Chairman Kesto returned for consideration to HB 4499, HB 4505 and HB 4508 and laid before the committee the following bills:

HB 4500	(Runestad)	Consumer protection; identity theft; identity theft prevention act; modify to include uniform forfeiture reporting act requirements.
HB 4503	(Cole)	Law enforcement; reports; reports of disposition of certain forfeited property; require, and provide a penalty for failing to report.
HB 4504	(Kesto)	Criminal procedure; forfeiture; uniform forfeiture reporting act; enact.
HB 4506	(Sheppard)	Criminal procedure; forfeiture; reports of disposition of certain forfeited property; amend public health code to require, and provide a penalty for failing to report.
HB 4507	(Iden)	Criminal procedure; forfeiture; seizure and forfeiture of property for abatement of nuisance to be reported to the department of state police under the uniform forfeiture reporting act; require.

Lee McGrath, representing the Institute of Justice, testified in support of the bills.

Charles Davis, representing the Wayne County Prosecutor's Office testified in support of HB 4500, HB 4503, HB 4504, HB 4506 and with a neutral position on HB 4505 and HB 4507. Questions and discussion followed.

The following individuals submitted cards but did not wish to speak:

Megan Noland, representing the Oakland County Sheriff's Office, in support of HB 4499, HB 4500, HB 4503, HB 4504, HB 4505, HB 4506, HB 4507.

John Shea, representing the Criminal Defense Attorneys of Michigan, in support of HB 4499, HB 4505 and HB 4508.

Steve Sharpe, representing Michigan NORML, in support of HB 4499, HB 4503, HB 4504, HB 4505, HB 4506, HB 4507.

Jamie Lowell, representing the Americans for Safe Access – Michigan, in support of HB 4503, HB 4504, HB 4506, HB 4507.

Jamie Fricke, representing herself, in support of HB 4504, HB 4507, HB 4508 and amendments.

Dakota Blue Serna, representing Sons and Daughters United, in support of HB 4499.

Amanda Fisher, representing National Federation of Independent Business, in support of HB 4500, HB 4503, HB 4504, HB 4506, and HB 4507.

The following individuals submitted cards wishing to speak but were not able due to time constraints:

Charmie Gholson, representing the Michigan Moms United, in support of HB 4503, HB 4504, HB 4506, HB 4507 and with a neutral position on HB 4499, HB 4505 and HB 4508.

Steve Miller, representing Law Enforcement Against Prohibition and Michigan Mothers United, in support of HB 4500, HB 4503, HB 4504, HB 4506, HB 4507 and with a neutral position on HB 4499, HB 4505 and HB 4508.

Ginnifer Henry, representing Michigan Moms United, in support of HB 4503, HB 4504, HB 4506, HB 4507 and with a neutral position on HB 4499, HB 4505 and HB 4508.

Josey Scoggin, representing the Sons and Daughters United, support of HB 4499, HB 4505 and HB 4508.

Michael Komorn, representing the Michigan Medical Marijuana Association, in support of HB 4500, HB 4503, HB 4504, HB 4506, HB 4507 and with a neutral position on HB 4499, HB 4505 and HB 4508.

Annette Shattuck, representing Michigan Moms United, in support of HB 4500, HB 4503, HB 4504, HB 4506, HB 4507 and with a neutral position on HB 4499, HB 4505 and HB 4508.

Dennis M. Hayes, Attorney, representing patients and caregivers, in support of HB 4499, HB 4505, and HB 4508, and submitted written testimony.

Ashley Duval, representing the Sons and Daughters United, in support of HB 4499, HB 4500, HB 4503, HB 4504, HB 4505, HB 4506, HB 4507, and HB 4508, and submitted written testimony.

There being no further business before the committee, Chairman Kesto adjourned the meeting, the time being 12:59 p.m.

**Representative Klint Kesto, Chair**\_\_\_\_\_

Melissa Weipert, Committee Clerk  
House Judiciary Committee  
mweipert@house.mi.gov  
(517) 373-5176